

# HOUSE BILL No. 1535

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-15-2-1; IC 9-16-3; IC 9-29.

**Synopsis:** License branch service charges. Requires the bureau of motor vehicles commission to annually determine the cost of operating license branches in each county and the amount of service charges that must be assessed in each county to cover the cost of the license branch operations in the county. Requires the bureau of motor vehicles commission to adopt rules to set the county service charges to cover the cost of the license branch operations in the county. Requires the service charges collected from each county to be deposited in the license branch fund and used for the county license branch operations.

**Effective:** January 1, 2000.

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**Liggett**

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January 19, 1999, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1535

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 9-15-2-1 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JANUARY 1, 2000]: Sec. 1. The commission shall do  
3 the following:

- 4       (1) Develop and continuously update the bureau's policies.
- 5       (2) Recommend to the governor legislation that is needed to
- 6       implement the policies developed by the commission.
- 7       (3) Recommend to the bureau proposed rules that are needed to
- 8       implement the policies developed by the commission and require
- 9       those proposed rules to be adopted under IC 4-22-2.
- 10       (4) Review, revise, adopt, and submit to the budget agency budget
- 11       proposals for the commission, the bureau, and the license
- 12       branches operated under IC 9-16, including the budget required
- 13       by IC 9-16-3-3.
- 14       (5) Establish the determination criteria and determine the number
- 15       and location of license branches to be operated under IC 9-16.
- 16       However, there must be at least one (1) full service license branch
- 17       in each county.



(6) Establish and adopt minimum standards for the operation and maintenance of each full service license branch operated under IC 9-16.

(7) Before January 1, 1997, establish and adopt minimum standards for the operation and maintenance of each partial service contractor under IC 9-16. The standards must result in more convenience to the public by providing license branch services at as many walk-up locations as possible without increasing the costs of providing these services.

(8) Before March 1, 1997, establish and adopt minimum standards for providing license branch services using telephonic, facsimile, electronic, or computer means under IC 9-16.

(9) Administer the state license branch fund established under IC 9-29-14.

**(10) Annually determine:**

**(A) the cost of operating the license branches in each county; and**

**(B) the service charges that must be assessed in each county to cover the cost of the license branch operations in the county.**

SECTION 2. IC 9-16-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 1. The manager of each license branch that is staffed by commission employees shall prepare and submit a proposed operating budget for that license branch to the commissioner before ~~August~~ **April 1** of each year.

SECTION 3. IC 9-16-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 2. **(a)** Based on the proposed budgets from each of the license branches, the commission shall develop a ~~statewide~~ license branch budget **for each county.**

**(b)** The commission ~~determines that shall determine~~ the total of:

**(1) revenues to be received** from license branch operations. ~~and~~

**(2) appropriations received by the commission;**

~~are insufficient to support license branch operations;~~

**(c)** The commission shall ~~increase~~ **set** the ~~branch annual county~~ service charges under IC 9-29-3.

**(d)** The commission shall **adopt rules under IC 4-22-2 to set the county service charges before November 1 of each year as provided in IC 9-15-2-1.**

**(e)** Annual county service charges remain in effect until new county service charges have been set by rule.

SECTION 4. IC 9-16-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 3. On or before September 1



of each even-numbered year, the commission shall submit to the budget agency a proposed budget. The commission shall include, at a minimum, the following information: ~~on a county by county basis:~~

- (1) Total estimated revenue by source.
- (2) Total estimated expenditures for salaries and fringe benefits.
- (3) Total estimated expenditures for other personal services.
- (4) Total estimated expenditures for nonpersonal services.
- (5) Total estimated expenditures for contractual services.
- (6) Total estimated expenditures for supplies and materials.
- (7) All other estimated expenditures.
- (8) The number of full-time and part-time employees.
- (9) Other information the budget agency requires.

SECTION 5. IC 9-16-3-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: **Sec. 5. The county service charges set for a year under section 2 of this chapter apply to charges due throughout the year regardless of whether a charge due in the year was actually paid in a preceding year.**

SECTION 6. IC 9-29-3-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 19. ~~(a) Subject to subsection (b) and~~ With the approval of the commission, the bureau may shall adopt rules under IC 4-22-2 to do the following:

- (1) Increase or decrease any of the service charges **imposed in each county** listed in sections 1 through 18 of this chapter **based on the license branch county budget determined as provided in IC 9-16-3-2.**
- (2) Impose a service charge on any other license branch service **imposed in each county** that is not listed in sections 1 through 18 of this chapter **based on the license branch county budget developed under IC 9-16-3-2.**
- (3) Increase or decrease a service charge imposed under subdivision (2).

~~(b) The bureau's authority to adopt rules under subsection (a) is subject to the condition that a service charge must be uniform throughout all license branches and at all partial service locations in Indiana.~~

SECTION 7. IC 9-29-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 1. The state license branch fund is established for the purpose of paying the expenses incurred in administering IC 9-16. The fund shall be administered by the commission. **The service charges collected under IC 9-29-3-23 from each county shall be credited to and provided**



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1      **for the cost of the license branch operations in the county.**

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